

MINUTES

MONTANA SENATE 65th LEGISLATURE - REGULAR SESSION

COMMITTEE ON ENERGY AND TELECOMMUNICATIONS

Call to Order: Chair Duane Ankney, on March 28, 2017 at 3:00 PM, in Room 303
Capitol

ROLL CALL

Members Present:

Sen. Duane Ankney, Chair (R)
Sen. Pat Connell, Vice Chair (R)
Sen. Dick Barrett (D)
Sen. Mark Blasdel (R)
Sen. Douglas (Doug) Kary (R)
Sen. Sue Malek (D)
Sen. Mary McNally (D)
Sen. Keith Regier (R)
Sen. Tom Richmond (R)
Sen. Jason D. Small (R)
Sen. Russel (Russ) Tempel (R)
Sen. Cynthia Wolken (D)

Members Excused: Sen. Gene Vuckovich (D)

Members Absent: None

Staff Present: Charlene Devine, Committee Secretary
Sonja Nowakowski, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 374, 3/06/2017

Executive Action: SB 374, Do Pass As Amended; HB 193, Be Tabled; HB 475, Be Tabled;
SB 330, Do Pass As Amended

00:00:04 Vice Chair Connell assumed the role of the chair.

00:00:59 Recess

01:04:13 Reconvene

01:04:15 Chair Connell

01:04:42 Recess

02:29:32 Reconvene

HEARING ON SB 374

Opening Statement by Sponsor:

02:30:13 Sen. Duane Ankney (R), SD 20, opened the hearing on SB 374, Revise laws related to utility line extensions.

Proponents' Testimony:

02:32:09 J.D. Lynch, International Brotherhood of Electrical Workers #44

Opponents' Testimony:

02:33:22 Tony O'Donnell, Public Service Commission

02:36:45 John Alke, NorthWestern Energy (NWE)

02:41:23 Gary Forrester, Montana Dakota Utilities

Informational Testimony:

02:43:14 Doug Hardy, Montana Electric Cooperatives' Association

Questions from Committee Members and Responses:

02:43:38 Sen. Barrett

02:46:30 Mr. Alke, NWE

02:48:33 Sen. Barrett

02:49:14 Mr. O'Donnell, PSC

02:49:57 Sen. Barrett

02:50:31 Sen. Ankney

02:50:45 Sonja Nowakowski, Legislative Services Division

02:51:35 Sen. Kary

02:53:27 Sen. Ankney

02:53:54 Chair Connell

03:00:36 Mr. Alke

Closing by Sponsor:

03:01:17 Sen. Ankney

03:03:25 Chair Connell

EXECUTIVE ACTION ON SB 374

03:03:46 Sen. Ankney assumed the role of the chair.

03:04:37 **Motion:** Sen. Connell moved that **SB 374 DO PASS.**

03:04:56 **Motion:** Sen. Connell moved that **SB 374 BE AMENDED.**
EXHIBIT(ens64a01)

Discussion:

03:05:24 Sen. Regier

03:05:40 Sonja Nowakowski, Legislative Services Division (LSD)

03:05:49 **Motion:** Sen. K. Regier moved **TO AMEND SB 374 CONCEPTUALLY.**

Discussion:

03:06:15 Sen. Connell

03:06:34 Sen. Regier

03:07:04 Ms. Nowakowski, LSD

03:07:19 Sen. Small

03:07:34 **Vote:** Motion carried 12-0 by voice vote. Sen. Vuckovich was excused.

03:07:39 Ms. Nowakowski

03:07:58 **Vote:** Motion carried 12-0 by voice vote. Sen. Vuckovich was excused.

03:08:39 **Motion/Vote:** Sen. Connell moved that **SB 374 DO PASS AS AMENDED.**
Motion carried 10-2 by voice vote with Sen. Kary and Sen. Malek voting no.

EXECUTIVE ACTION ON HB 193

03:09:21 **Motion:** Sen. Connell moved that **HB 193 BE CONCURRED IN.**

Discussion:

03:09:49 Sonja Nowakowski, Legislative Services Division

03:10:09 Chair Ankney

03:10:42 Sen. Connell

03:11:07 Sen. McNally

03:12:03 Sen. Connell

03:13:08 Sen. McNally

03:13:42 Sen. Malek

03:14:02 **Vote:** Motion failed 5-8 by roll call vote with Sen. Barrett, Sen. Malek, Sen. McNally, Sen. Tempel and Sen. Wolken voting aye. Sen. Vuckovich voted by proxy.

03:15:10 **Motion/Vote:** Sen. Connell moved that **HB 193 BE TABLED AND THE VOTE REVERSED**. Motion carried 10-3 by voice vote with Sen. Barrett, Sen. Malek and Sen. McNally voting no. Sen. Vuckovich voted by proxy.

EXECUTIVE ACTION ON HB 475

03:15:51 **Motion:** Sen. Connell moved that **HB 475 BE CONCURRED IN**.

03:16:08 **Motion:** Sen. Malek moved that **HB 475 BE AMENDED**.
[EXHIBIT\(ens64a02\)](#)

discussion:

03:16:20 Sen. Malek

03:17:11 **Vote:** Motion carried 9-3 by voice vote with Sen. Connell, Sen. Kary and Sen. K. Regier voting no. Sen. Vuckovich was excused.

03:18:10 **Motion:** Sen. Richmond moved that **HB 475 BE AMENDED**.
[EXHIBIT\(ens64a03\)](#)

Discussion:

03:18:49 Sonja Nowakowski, Legislative Services Division (LSD)

03:18:38 Sen. Wolken

03:19:09 Ms. Nowakowski, LSD

03:19:18 **Vote:** Motion carried 12-0 by voice vote. Sen. Vuckovich was excused.

03:19:39 **Motion:** Sen. Connell moved that **HB 475 BE CONCURRED IN AS AMENDED**.

Discussion:

03:19:58 Sen. Kary

03:20:35 Sen. Malek

03:21:14 Sen. McNally

03:22:07 Sen. Richmond

03:22:42 Sen. Connell

03:23:26 Sen. McNally

03:24:01 Sen. Barrett

03:24:27 Sen. Malek

03:24:53 **Vote:** Motion failed 4-9 by roll call vote with Sen. Wolken, Sen. Barrett, Sen. Malek and Sen. McNally voting aye. Sen. Vuckovich voted by proxy.

03:25:55 **Motion/Vote:** Sen. Connell moved that **HB 475 BE TABLED AND THE VOTE REVERSED**. Motion carried 10-2 by voice vote with Sen. Malek and Sen. McNally voting no.

EXECUTIVE ACTION ON SB 330

03:26:58 **Motion:** Sen. Wolken moved to **RECONSIDER THE MOTION** on **HB 330**.

Discussion:

03:27:51 Sen. Kary

03:27:59 Sonja Nowakowski, Legislative Services Division (LSD)

03:29:01 **Vote:** Motion carried 7-6 by roll call vote with Sen. Blasdel, Sen. Connell, Sen. Kary, Sen. K. Regier, Sen. Richmond and Sen. Tempel voting no. Sen. Vuckovich voted by proxy.

03:29:03 Sen. Blasdel

03:29:05 Ms. Nowakowski, LSD

03:29:10 **Motion/Vote:** Sen. Wolken moved that **SB 330 DO PASS AS AMENDED**. Motion carried 7-6 by roll call vote with Sen. Blasdel, Sen. Connell, Sen. Kary, Sen. K. Regier, Sen. Richmond and Sen. Tempel voting no. Sen. Vuckovich voted by proxy. (Bill was previously amended by the committee).

EXHIBIT(ens64a04)

03:30:45 Chair Ankney

ADJOURNMENT

Adjournment: 7:20 PM

Charlene Devine, Secretary

cd

Additional Documents:

EXHIBIT([ens64aad.pdf](#))